

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

GEORGE A. TOLIVER,

Plaintiff,

vs.

LVMPD, et al.,

Defendant.

Case No. 2:14-cv-00906-RFB-GWF

**ORDER**

This matter is before the Court on Plaintiff's Motion to Compel (ECF No. 49, 52), filed on September 9, 2016. The Court instructed Plaintiff to serve his Motion to Compel upon the Las Vegas Metropolitan Police Department ("LVMPD"), a non-party to this case, and to file a certificate of service with the Court. *See* ECF No. 50. On October 14, 2016, Plaintiff again filed his Motion to Compel (ECF No. 52). On October 24, 2016, Plaintiff filed a notice (ECF No. 53) containing a certificate of service that he mailed his Motion to Compel to the United States Marshals Office for service. Plaintiff also attached a letter from the United States Marshals Office informing Plaintiff that it could not complete service without an order from the Court.

The Court instructs Plaintiff that if he intends to continue to proceed with this case, he must fully educate himself on the Federal Rules of Civil Procedure and the Local Rules of Practice for the District of Nevada. Although the Court is in no way identifying all of the rules and procedures that Plaintiff must follow, Rule 5 of the Federal Rules of Civil Procedure governs. In regard to service in general, Rule 5 states that "[a] paper is served under this rule by. . . mailing it to the person's last known address - - in which event service is complete upon mailing." Fed. R. Civ. P. 5(a)(2). In regard to his motion to compel, Plaintiff need not request that the United States

1 Marshals Office complete service by hand delivering his motion to LVMPD. Plaintiff may  
2 complete service of his motion to compel upon LVMPD by mailing a true and correct copy of his  
3 motion to LVMPD. Accordingly,

4 **IT IS HEREBY ORDERED** that Plaintiff is to serve his Motion to Compel upon LVMPD  
5 by mailing a true and correct copy of his Motion to Las Vegas Metropolitan Police Department at  
6 400 S. Martin Luther King Blvd., Las Vegas, NV 89106. Subsequently, Plaintiff is to file a  
7 certificate of service with the Court stating the date that a true and correct copy of the document  
8 was mailed to LVMPD or their counsel. The Court may disregard any paper received by a district  
9 judge, magistrate judge, or the Clerk of the Court which fails to include a certificate of service.

10 DATED this 7th day of November, 2016.

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13 GEORGE FOLEY, JR.  
14 United States Magistrate Judge  
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